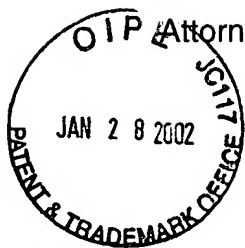


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Attorney's Docket No. 03801.P070

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:	)	
	)	
Scott Leahy &	)	
Alon Cohen	)	Examiner: Unassigned
	)	
Application No.: 10/025,267	)	
	)	Art Unit: Unassigned
Filed: December 18, 2001	)	
	)	
For: PRIORITIZATION OF THIRD	)	
PARTY ACCESS TO AN ONLINE	)	
COMMERCE SITE	)	
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Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of the Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on January 14, 2002.  
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(Typed or printed name of person mailing correspondence)  
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Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

  x   37 C.F.R. §1.97(b).

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If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: Jan 14, 2002

  
\_\_\_\_\_  
André M. Gibbs  
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Seventh Floor  
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(408) 720-8300

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				Application Number	10/025,267
				Filing Date	December 18, 2001
				First Named Inventor	Scott Leahy
				Group Art Unit	Unassigned
Examiner Name	Unassigned				
Attorney Docket Number	03801.P070				
Sheet	1	of	7		

U.S. PATENT DOCUMENTS					
Examiner Initials *		U.S.Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
		Number			
		3,581,072	Nymayer	5/25/1971	3/28/1968
		3,573,747	Adams, et al.	4/6/1971	2/24/1969
		4,412,287	Braddock, III	10/25/1983	9/15/1982
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		5,101,353	Lupien, et al.	3/31/1992	5/31/1989

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		Office or Country	Number	Date			
		PCT	WO 92/15174	2/25/1992	Beaumont-Maxin International	9/3/1992	
		PCT	WO 96/34356	4/26/1996	Fleanet, Inc.	10/31/1996	
		PCT	WO 97/37315	3/19/1997	Onsale, Inc.	10/9/1997	

OTHER DOCUMENTS		
Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published (if known).	Translation? Yes/No
	MALONE, TW; YATES, J; et al., "Electronic Markets and Electronic Hierarchies", <u>Communications - of the ACM</u> , June 1987, Pages 484-497, Vol. 30, No. 6, USA	
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	"Personal Optimized Decision/Transaction Program", <u>IBM Technical Disclosure Bulletin</u> , January 1995, Pages 83-84, Vol. 38, No. 1, USA	
	NEO, BS, "The implementation of an electronic market for pig trading in Singapore", <u>Journal of Strategic Information Systems</u> , December 1992, pages 278-288, Vol 1, No. 5	

Examiner Signature	Date Considered
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		Office or Country	Number	Date			
		Netherland	9300266	2.10.1993			No
		France	2658635-A1	2.6.1991			No
		Canada	2,253,543	3/19/1997			Yes

OTHER DOCUMENTS			
Examiner Initials *		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published (if known).	Translation? Yes/No
		ROCKOFF, TE; GROVES, M., "Design of an Internet-based system for remote Dutch auctions", <u>Internet Research - Electronic Networking Applications and Policy</u> , January 1, 1995, Vol 5, No. 4, Pages 10-16	
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STATEMENT BY APPLICANT**

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Complete if Known

Application Number		10/025,267	
Filing Date		December 18, 2001	
First Named Inventor		Scott Leahy	
Group Art Unit		Unassigned	
Examiner Name		Unassigned	
Sheet	3	of	7
Attorney Docket Number		03801.P070	

**U.S. PATENT DOCUMENTS**

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	Number				
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**OTHER DOCUMENTS**

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published (if known).	Translation? Yes/No
	RECK, Martin, "Formally Specifying an Automated Trade Execution System", <u>Journal of Systems and Software</u> , 1993, Pages 245-252, Vol. 21, Elsevier Science Publishing Co., Inc., New York, NY	
	"Anonymous Delivery of Goods in Electronic Commerce", <u>IBM Technical Disclosure Bulletin</u> , March 1996, Pages 363-366, Vol. 39, No. 3	
	LEE, HG, " Electronic Brokerage and Electronic Auction: The Impact of IT on Market Structures", <u>Proceedings of the 29th HICSS</u> , 1996, Pages 397-406, Vol. IV	
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Examiner Signature	Date Considered
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			<b>Application Number</b>	10/025,267	
			<b>Filing Date</b>	December 18, 2001	
			<b>First Named Inventor</b>	Scott Leahy	
			<b>Group Art Unit</b>	Unassigned	
			<b>Examiner Name</b>	Unassigned	
			<b>Attorney Docket Number</b>	03801.P070	
<b>Sheet</b>	4	of			

U.S. PATENT DOCUMENTS					
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Examiner Initials *		Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No
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OTHER DOCUMENTS		
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	"Onsale joins fray as online shopping picks up speed: Internet Booms", <u>Computer Reseller News</u> , June 5, 1995, Page 73, CMP Publications, Inc., USA.	
	SIEGMANN, KEN, "Nowhere to go but up", <u>PC Week</u> , October 23, 1995, Page 1-3, Vol. 12, No. 42, Ziff-Davis Publishing Company	
	"Onsale: Onsale Brings Thrill of Auctions and Bargain Hunting Online; Unique Internet retail service debuts with week-long charity auction for the Computer Museum in Boston", May 24, 1995, 3 pages	

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		Filing Date	December 18, 2001
		First Named Inventor	Scott Leahy
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Sheet 5 of 7	Attorney Docket Number		03801.P070

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OTHER DOCUMENTS		
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	SCHMID, BF., "The Development of Electronic Commerce", <u>Newsletter of the Competence Centre Electronic Markets</u> , October 1993, No. 9/10, 36 pages	
	TJOSTHEIM, I; EIDE, J., "A case study of an on-line auction for the World Wide Web", <u>Norwegian Computing Center</u> , No Date Given, Pages 1-10	
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Examiner Signature	Date Considered
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		Group Art Unit	Unassigned
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Sheet 6 of 7	Attorney Docket Number	03801.P070	

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OTHER DOCUMENTS		
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<b>Application Number</b>	10/025,267
<b>Filing Date</b>	December 18, 2001
<b>First Named Inventor</b>	Scott Leahy
<b>Group Art Unit</b>	Unassigned
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	03801.P070

Sheet	7	of	7
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## FOREIGN PATENT DOCUMENTS

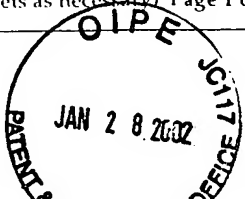
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		ZWASS, VLADIMIR., "Electronic Commerce: Structures and Issues", <u>International Journal of Electronic Commerce</u> , Fall 1996, Pages 3-23, Vol, 1, No. 1	
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		Yahoo, <a href="http://user.auctions.yahoo.com">http://user.auctions.yahoo.com</a> , Options (2 pages, 3/13/01)	

Examiner Signature		Date Considered	
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Substitute for Form 1449A/PTO (Modified) (use as many sheets as necessary) Page 1 of 3	Attorney Docket No.: 003801.P070	Application Number: 10/025,267
	First Named Inventor:	Scott Leahy
	Filing Date:	December 18, 2001

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Exam. Initial*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>3</sup> (If known)			
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		5,205,200		Wright	04-27-1993	
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		5,596,994		Bro	01-28-1997	
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		5,657,389		Houvener	08-12-1997	
		5,694,546		Reisman	12-02-1997	
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		5,722,418		Bro	03-03-1998	
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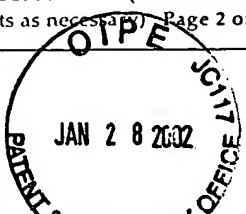
Exam. Initial*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>2</sup>	Number <sup>4</sup>	Kind Code <sup>3</sup> (If known)				
		WIPO	WO 95/17711	A1	Diacom Technologies, Inc.	06-29-1995		
		WIPO	WO 99/63461	A1	Dinwoodie, David	12-09-1999		
		WIPO	PCT/US 00/17136	Int'l. Search Report	eBay, Inc.	11-16-2000		
		WIPO	PCT/US 01/12398	Int'l. Search Report	eBay, Inc.	08-27-2001		

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Substitute for Form 1449A/PTO (Modified) (use as many sheets as necessary) Page 2 of 3		Attorney Docket No.: 003801.P070	Application Number: 10/025,267
		First Named Inventor: <b>Scott Leahy</b>	
		Filing Date: <b>December 18, 2001</b>	

### U.S. PATENT DOCUMENTS

Exam. Initial*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (If known)			
		5,799,285		Klingman	08-25-1998	
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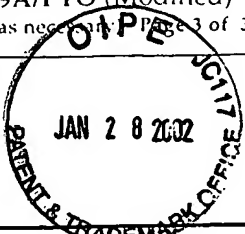
### OTHER ART - NO PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Translation <sup>2</sup>
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		First Named Inventor: <b>Scott Leahy</b>				
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Exam. Initial*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (If known)			
		6,104,815		Alcorn et al.	08-15-2000	
<b>OTHER ART - NO PATENT LITERATURE DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published				Translation <sup>2</sup>
		BUSINESS EDITORS, "Mediappraise: Mediappraise Receives National Award for Web-Based Technology That Enables Companies to Solve Thorny HR Problems," 12/14/98, 2 pgs., <a href="http://www.businesswire.com">www.businesswire.com</a> .				
		MEADE, J., "Visual 360: A Performance Appraisal System That's 'Fun' (Evaluation)," HRMagazine, 44, 7, 2 pgs., July 1999, Society for Human Resource Management.				
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		RESNICK, P., et al., "Reputation Systems," December 2000, Assoc. for Computing Machinery, Communications of the ACM, vol. 43, n. 12, 4 pgs.				
Examiner Signature					Date Considered	

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